

Turkmenistan

FINDINGS: Severe religious freedom violations and official harassment of religious adherents persist in Turkmenistan. Despite a few limited reforms undertaken by President Berdimuhamedov since 2007, the country's laws, policies, and practices continue to violate international human rights norms, including those on freedom of religion or belief. Police raids and other harassment of registered and unregistered religious groups continue. The highly repressive 2003 religion law remains in force, causing major difficulties for religious groups to function legally, and has justified police raids and arrests. Turkmen law does not allow a civilian alternative to military service, and six Jehovah's Witnesses are imprisoned for conscientious objection.

In light of these severe violations, USCIRF continues to recommend in 2012 that the U.S. government designate Turkmenistan as a "country of particular concern," or CPC. The Commission has recommended CPC designation for Turkmenistan since 2000, but the State Department has never followed this recommendation.

Under the late President Niyazov, Turkmenistan was among the world's most repressive and isolated states. Niyazov's personality cult dominated public life, and there is evidence that President Berdimuhamedov is building a cult to justify his own dominance, but without religious overtones. While President Berdimuhamedov has ordered a few limited reforms and released the former chief mufti from prison in 2007, since then his government has not adopted essential systemic legal reforms on freedom of religion or belief and other human rights. Moreover, the Turkmen government has reinstated restrictive policies regarding education, foreign travel, dual citizenship, and telecommunications that have again led to the country's extreme isolation.

PRIORITY RECOMMENDATIONS: In addition to designating Turkmenistan as a CPC, the United States should raise human rights and religious freedom in all bilateral meetings with the Turkmen government, urge it to adopt specific new laws and practices that comply with international human rights standards, and establish a regular reporting mechanism on these issues. If the Turkmen government continues to violate its human rights obligations, including on freedom of religion or belief, and to threaten Turkmen human rights defenders regardless of country of residence, the United States should express its concern publicly at appropriate international fora, including the United Nations and the Organization for Security and Cooperation in Europe (OSCE). The United States also should increase exchange programs and broadcasts to Turkmenistan to help overcome decades of isolation which have created a dangerous cultural and educational vacuum. Additional recommendations for U.S. policy toward Turkmenistan can be found at the end of this chapter.

Religious Freedom Conditions

Governing and Legal Framework

Until the 2006 death of President Saparmurat Niyazov, Turkmenistan was among the world's most repressive and isolated states. Virtually no independent public activity was allowed, and the 2003 religion law banned most religious activity. Moreover, Turkmenistan's public life was dominated by Niyazov's quasi-religious personality cult expressed in his book, the *Ruhnama*, which the government imposed on the country's religious and educational systems.

Since assuming the presidency in early 2007, Gurbanguly Berdimuhamedov has implemented limited educational reforms and has promised, but not undertaken, reform of the country's oppressive laws. He ordered the release of 11 political prisoners, including the former chief mufti, in 2007; placed certain limits on Niyazov's personality cult; set up two new official human rights commissions; and registered 13 additional minority religious groups. In addition, he eased police controls on travel inside Turkmenistan and made the country slightly more open to the outside world.

Turkmenistan's constitution purports to guarantee religious freedom, the separation of religion from the state, and equality regardless of religion or belief. The 2003 religion law, however, contradicts these provisions and violates international standards on freedom of religion or belief. This law sets intrusive registration criteria and bans any activity by unregistered religious organizations; requires that the government be informed of all foreign financial support; forbids worship in private homes and the public wearing of religious garb except by religious leaders; and places severe and discriminatory restrictions on religious education.

Religious matters fall under the purview of the government-appointed Council on Religious Affairs (CRA), which reports to the president. While the CRA's membership includes government officials and Sunni Muslim and Russian Orthodox Church representatives, no other religious groups are represented. The CRA controls the hiring, promotion, and firing of Sunni Muslim imams (who must report regularly to the CRA), censors religious publications, and oversees the activities of all registered groups.

CRA Deputy Chair Andrei Sapunov, a Russian Orthodox Church (ROC) priest, has official responsibility for policies relating to Christian communities and reportedly has veto power over the ability of other Christian groups to function in Turkmenistan. Some ROC members have told human rights groups that Sapunov has disclosed to the secret police confidential information from religious confessionals. Moreover, members of religious minorities view recently-named CRA officials as favoring state-controlled Islam and denying permission for non-Muslim activity more often than their Niyazov-appointed predecessors. Four of the officials appointed in September 2009 to head CRA regional branches were also appointed as new regional chief imams; in their dual role, they are expected to collaborate with government agencies, including the security police.

Stalled Legal Reforms

In 2007, President Berdimuhamedov set up a new government commission, headed by the Supreme Court Chairman, to examine citizens' petitions on the work of law enforcement bodies, but it has no other members and no specified procedures. Reportedly, the commission has received thousands of petitions on police abuse, bribery, unjust arrests, and prosecutions. In August 2007, the commission pardoned and released 11 prisoners of conscience, including former Chief Mufti Nasrullah ibn Ibadullah, who had been sentenced to a 22-year prison term in a secret 2004 trial. His release occurred on the eve of USCIRF's visit to the country. Ibadullah had opposed Niyazov's decree that the *Ruhnama* be displayed in mosques, but was charged with treason for his alleged role in a 2002 coup attempt against Niyazov. After his release, Ibadullah was allowed to resume work in Ashgabat as a senior adviser to the CRA. The commission's more recent activities, if any, are unknown.

During USCIRF's August 2007 visit to Turkmenistan, the President established a new commission to examine how the country's laws conform to international human rights commitments. In 2008, the government requested that the U.S. Agency for International Development (USAID) provide a technical critique of Turkmen laws affecting religious freedom. The critique, prepared by the International Center for Not-for-Profit Law (ICNL), was presented to the government in July 2008, but the government has not implemented any of the recommendations. The government postponed, without setting a future date, a follow-up seminar on the religion law with international experts scheduled for March 2010. It also has failed to implement any of the recommendations of a largely critical legal review of the religion law published by the OSCE in late 2010. In November 2011, the UN Committee on Economic, Social and Cultural Rights also called on Turkmenistan to amend its religion law "to remove undue registration criteria pertaining to certain religious groups as well as various restrictions impacting negatively on the freedom of religion." The government has not responded to this recommendation.

Registration

In response to international pressure, President Niyazov issued several decrees in 2004 that reduced the number of members required for registration as a religious group from 500 to five and eased other registration requirements. Nevertheless, unregistered religious activity remains illegal, and subject to penalties under the administrative code that may include imprisonment and large fines. Even registered groups are forbidden to meet for private worship, to print and import religious literature, or to be led by foreign citizens. They are subject to financial restrictions and must provide the government with detailed information about their meetings and activities.

The Justice Ministry manages the registration process, and the CRA plays an advisory role. A commission, which includes representatives from the Ministries of Justice and Internal Affairs and the security services, reviews registration applications. Although the review process should not last more than three months and written denials are supposed to be issued, often these standards are not met. Reportedly, Justice Ministry officials have denied registration due to minor or spurious clerical errors or required religious groups to amend their charters in order to register. After national registration, religious groups must also obtain local approval for

religious activities, and some groups reported difficulty in obtaining such permission. Some communities have decided not to submit applications due to the onerous and opaque registration process, while others prefer an underground existence, due in part to the numerous legal restrictions on religious activity and to the limited advantages of registration.

After the 2004 decrees, nine small minority religious groups were registered, including the Baha'i faith, several Pentecostal communities, the Seventh-day Adventists, several Evangelical churches, and the Society for Krishna Consciousness. The Ashgabat parish of the ROC was reregistered in 2005 and the Turkmenabat ROC parish was reregistered in early 2006. The Source of Life Church in Turkmenabat and a Muslim group in Akhal were registered in late 2007. According to the CRA, Shi'a Muslim groups were allowed to register collectively, likely in 2008. In a January 2010 report to the UN Human Rights Committee, the Turkmen government claimed that 123 religious communities were registered in the country, fewer than previously cited. Of these, 100 are Sunni and Shi'a Muslim and 13 are Russian Orthodox. The rest include Baptist, Pentecostal, Greater Grace, Seventh-day Adventist, New Apostolic, Baha'i, and Hare Krishna communities. Also, according to the same report, the Turkmen Justice Ministry was considering registration applications from four religious communities, including the Path of Faith Church in Dashoguz, an independent ethnic Turkmen Baptist congregation whose registration has been "pending" for five years. In March 2010, after 13 years of effort, Ashgabat's Polish-led and mostly foreign Catholic community gained local legal status, in an apparent exception to the legal requirement that any religious community must be headed by a Turkmen citizen. In August 2010, the religious organization Ibrahim Edhem was registered in the Dashoguz province, but registration applications of the Abadan branch of Light of Life Christian Church and the Turkmen Baptist Church in Dashoguz remained pending.

Certain Shi'a Muslim groups, the Armenian Apostolic Church, and some Protestant groups have had numerous registration applications rejected or their registration efforts refused entirely. The government rejected as "incomplete" the Jehovah's Witnesses' previous registration application; but the CRA would not tell the community which documents were missing. The Peace to the World Pentecostal Church in Mary, headed by the recently-released Pastor Nurliev, has applied unsuccessfully for registration since 2007. Reportedly, the Turkmen government has also pressured some groups to write promises that they will not gather for worship until they receive official registration.

Status of Presidential Personality Cult

The presidential personality cult forms the basis of official Turkmen ideology. Turkmen citizens, regardless of their religious views or personal beliefs, are taught to view the president as the living embodiment of the state. The *Ruhnama* has been removed from government buildings and mosques, but its citations remain inscribed on the huge mosque in Gipchak, Niyazov's home town. While the current government has moved away from Niyazov's personality cult, President Berdimuhamedov is establishing his own cult, which includes the appearance of many large posters of the current president.

Most textbooks were revised to remove references to Niyazov and his family, but new textbooks highlight President Berdimuhamedov's family and his "New Revival" ideology. Further,

President Berdimuhamedov reportedly will soon issue a new “spiritual guide” for the Turkmen people, which, according to the Turkmen media, will be called the *Turkmennama* (Book for Turkmen) or *Adamnana* (Book for Humanity). The Turkmen president has been granted the official title of *Arkadag* (Protector). Teachers and other state employees are compelled to purchase the president’s five previous books, such as on the Akhal-Tekke horse or folk medicine. Teachers and students still must also spend 70 to 80 days of the academic year in elaborate state-sponsored presidential parades.

While imams no longer are required to include a loyalty oath to the fatherland in their daily prayers, they must pray for the president. Public school students spend less time studying the *Ruhnama*, but still must pass exams on that book for advancement, graduation, or admission to higher educational institutions. Although the government reopened the Turkmen Academy of Sciences and allowed books by Turkmen historians and classical Turkmen authors to be published, in 2010 it opened a university named for the *Ruhnama*. The long-term effects of this state ideology and the presidential personality cult -- combined with Turkmenistan’s continuing isolation and severe educational deficiencies -- are difficult to calculate.

Government Interference in Internal Religious Affairs

The Turkmen government continues to interfere in the internal leadership and organizational arrangements of religious communities. The current Chief Mufti, Gurban Haitliev, was selected and appointed by the president; at the time of Haitliev’s appointment, numerous regional imams also were transferred to new duties, following former President Niyazov’s practice of frequent rotation of official leaders. Friday sermons by imams increasingly are used to convey state messages, with the CRA “recommending” suitable topics.

Muslims in Turkmenistan have expressed concern that the state has replaced imams who have formal Islamic theological training with those who lack such education. Indeed, many Turkmen view the former Chief Mufti, Nasrullah ibn Ibadullah, an ethnic Uzbek who was imprisoned from 2004-2007, as the country’s last Muslim leader with a thorough knowledge of theology. Turkmen officials have also stated that imams cannot be appointed if they have received theological training outside the country. The government also recently removed from office ethnic Uzbek imams in the Dashogus region and replaced them with ethnic Turkmen imams.

While the government officially banned as extremist only those groups that advocate violence, it has prevented all groups that advocate strict interpretations of Islamic religious doctrine from operating in the country, according to the State Department.

Former President Niyazov requested that the ROC in Turkmenistan be removed from the Central Asian diocese in Tashkent and come under Moscow Patriarchate jurisdiction. The new president continued to press for this transfer. The ROC placed Turkmenistan’s 12 ROC parishes and one Ashgabat convent under the Moscow Patriarchate’s jurisdiction in 2008, after a meeting between President Berdimuhamedov and ROC officials. The ROC named Bishop Feofilakt (Kuryanov) as the first head of the Patriarchal Deanery for Turkmenistan.

The Turkmen Justice Ministry reportedly has “advised” several smaller unregistered groups to combine with other currently-registered communities, regardless of possible doctrinal differences or need for organizational autonomy.

Penalties for Religious and Human Rights Activities

According to the International Crisis Group, Turkmenistan has one of the world’s highest prisoner-to-population ratios. A June 2011 report by the UN Committee Against Torture (CAT) on Turkmenistan concluded that reports of torture are “numerous and consistent” and “there appears to be a climate of impunity resulting in the lack of meaningful disciplinary action or criminal prosecution against persons of authority accused of [torture].” Three religious prisoners who were in the Seydi prison camp, where most of the religious prisoners are held, reported that solitary confinement and severe beatings by guards were “routine” in 2011.

In recent years, members of religious communities, including Muslims, Protestants, and Jehovah’s Witnesses, as well as a Hare Krishna adherent, have been imprisoned or sent into internal exile due to their religious convictions. Nurmuhamed Agaev, a former Muslim prayer leader, remains at the closed psychiatric hospital in the Lebap Region, where reportedly he is subject to forcible drug treatment. Islamic cleric Shiri Geldimuradov died in prison under unexplained circumstances in July 2010. Geldimuradov, 73, was arrested in April 2010 along with his three sons Muhammed, Abdullah, and Abdulhay. A fourth son, Abdulmejid, was sentenced to three years in prison in February 2010 for “misusing urban water resources.” An anonymous January 2012 message to Radio Liberty’s Turkmen Service claimed that an unnamed Muslim man was imprisoned the previous year for distributing religious audio and video discs; the government reportedly charged him with distributing pornography.

In October 2010, Pastor Ilmurad Nurliev of the unregistered Peace to the World Protestant Church in Mary was sentenced to four years’ imprisonment on charges of swindling, which his family and church members refuted in court. He was denied the right to appeal his case and was held at the notorious Seydi prison camp, where reportedly he was put in a cell with an inmate with tuberculosis. The court ordered that Nurliev be given “forcible medical treatment to wean him off his narcotic dependency,” and he reportedly was denied his diabetes medication and a Bible. Nearly 18 months after his arrest, Nurliev was released on February 18, 2012 along with about 230 prisoners, Forum 18 reported, but he must still report regularly to the police.

According to Forum 18, Pastor Nurliev expressed concern over several Muslim prisoners in Seydi who may have been imprisoned for peaceful religious activity, including Musa (last name unknown), a young Muslim from Ashgabat who reportedly received a four-year sentence for teaching the Qur’an to children. Pastor Nurliev also said the former chief imam of Mary Region, Muhammed-Rahim Muhammedov, remains in the Seydi camp for allegedly resisting the authorities.

In January 2012, Jehovah’s Witness Vladimir Nuryllayev was sentenced to four years’ imprisonment at a secret trial in Ashgabat on criminal charges of spreading pornography, which his community vehemently denies.

Unregistered religious communities continue to face raids by secret police, anti-terrorist police units, local government, and local CRA officials. Registered religious communities, particularly outside Ashgabat, also may face such treatment. Local secret police officers reportedly require Muslim and Orthodox clerics to make regular reports on their towns or neighborhoods. At least six secret police agents, as well as informants, allegedly have been placed in each Muslim and Orthodox community, and the secret police and ordinary police also try to recruit agents in unregistered religious groups, Forum 18 reported.

In 2011, seventeen Protestants in Turkmenabad were each fined up to US \$140 for the administrative offense of participating in unregistered religious activity. (The average monthly wage in Turkmenistan is US \$100). The city judge reportedly told them that the imam had said that their faith was “against the state.” Two Protestant schoolchildren were not fined, but endured public humiliation at their school. Members of an independent ethnic Turkmen Baptist church in Dashoguz, denied registration since 2005, were subjected to a police raid while on summer holiday in July 2011.

In October 2010, Farid Tuhbatullin, exiled head of the Turkmen Initiative for Human Rights, said that two reliable sources had informed him that the Turkmen Ministry of Security (MNB) planned an “accidental” physical attack on him in Vienna. Since that time, despite Austrian police protection, Tuhbatullin has felt compelled to change his country of residence and to observe certain security measures for self-protection. In January 2012, Turkmen civil society activist Natalya Shabunts, a longtime critic of her government’s human rights and religious freedom record whom USCIRF met during its 2007 visit, found a bloody sheep’s head outside her door after she gave an interview to RFE/RL. The Turkmen Initiative for Human Rights reported on these incidents and shortly thereafter its Web site was hacked.

Conscientious Objectors

Current Turkmen law has no civilian alternative to military service for conscientious objectors, as it did until 1995. Individuals who refuse military service for religious reasons can only serve noncombatant roles in the military. The penalty under the criminal code for refusing to serve in the armed forces is up to two years’ imprisonment. In September 2010, the Turkmen parliament adopted a new law setting the military conscription age for men at between 18 and 27, but it did not provide an alternative service regime. It is not known if President Berdimuhamedov has signed the unpublished law.

Six Jehovah’s Witnesses currently are serving prison sentences for refusing military service, while two others are serving suspended sentences. The six imprisoned Jehovah’s Witness conscientious objectors are: Dovleyet Byashimov (sentenced to 18 months in August 2010); Ahmet Hundaybergenov (sentenced to 18 months in September 2010); Sunet Japbarov (sentenced to 18 months in December 2010); Matkarim Aminov (sentenced to 18 months in December 2010); Dovran Matyakubov (sentenced to 18 months in December 2010); and Mahmud Hundaybergenov (sentenced to 2 years in August 2011). All are being held in the Seydi labor camp, where some prisoners have been subjected to psychiatric abuse. Reportedly, another Jehovah’s Witness, Denis Petrenko, must regularly report to the police under the terms of a suspended sentence imposed by an Ashgabat court in April 2010. Until 2009, the Turkmen

government had given suspended sentences to Jehovah's Witnesses who refused military service. None of the known religious prisoners was released during an April 2011 presidential amnesty.

Restrictions on Religious Meetings and Houses of Worship

It is illegal for unregistered religious groups to rent, purchase, or construct places of worship, and even registered groups must obtain government permission, which is often difficult to secure, to build or rent worship places. For meeting to worship in unapproved places, such as private homes, congregations face police raids, court-imposed fines, and other forms of harassment. While the government has allowed some mosque construction, it refuses to permit the building of three Shi'a mosques. The Turkmen government is using state funds to build monumental mosques in Koneürgench, Mary, and Gypchak, but it is unclear how such mosque construction is in line with the constitutional separation of religion from the state. In addition, the Turkmen government reportedly has not adequately compensated the owners of private houses destroyed on the sites of these future mosques.

The ROC has been trying to build a new cathedral and educational center in Ashgabat for years. In the mid-1990s, President Niyazov had allocated the ROC a plot in Ashgabat, but Turkmen authorities refused to allow the cathedral to be built. The site remained vacant until the government built the Ruhnama University there in 2010. In March 2011, after a meeting between the ROC Bishop of Smolensk and the Turkmen Foreign Minister, the government donated a site for the future cathedral in an Ashgabat suburb; the ROC will pay for the construction. Most ROC churches in Turkmenistan were built before 1917 and are in urgent need of repair.

Security police reportedly continue to break up religious meetings in private homes and search homes without warrants. Nevertheless, ten small registered minority religious communities have established places of worship (five in rented facilities, two in residential buildings used exclusively as church facilities, and three in private homes). Even for registered religious communities, worship in private homes is limited to nuclear family members.

There have been no recent reports of government destruction of houses of worship, unlike in the Niyazov era, when the Turkmen state closed, confiscated, or destroyed at least 17 mosques and churches. Despite the country's vast financial resources from the sale of natural gas (most funds reportedly are held in personal accounts in western banks), the government has paid no compensation to any religious community for these destructions or confiscations.

Restrictions on Religious Literature

The publication of religious literature inside Turkmenistan is banned by decree. By law, only registered religious communities can import such literature, and the quantities must correlate to the number of members in their congregations. Customs officers restrict returning travelers, regardless of citizenship, to only one copy of a religious text for personal use. Border guards and police also search departing and arriving travelers and confiscate religious material. According to the State Department, Turks who reside in Turkmenistan have had their personal Qur'ans confiscated at the border. Religious literature also is routinely confiscated in police raids on religious individuals and groups, and is rarely returned.

The CRA must approve all imported religious literature, but since the CRA only includes representatives of Islam and Russian Orthodoxy, its knowledge of other religions is limited. Members of religious minority communities report that they are often denied official permission to import religious literature which is often confiscated before it can be submitted for official examination. Local CRA branches frequently confiscate and photocopy literature. Religious communities need a license to copy religious literature already in their possession. One leader of a registered Protestant community said that the Justice Ministry had threatened his church for trying to copy religious material without a license.

According to the State Department, the Qur'an is "practically unavailable" at state bookstores in Ashgabat. While most homes have one Arabic copy of the Qur'an, few are available in Turkmen. The ROC can receive and distribute Bibles easily, but reportedly it does not share them with Protestants because it views them as competitors. In early 2011, the Turkmen government lifted the ban on the Russian Orthodox community receiving certain Russian publications by mail, including the *Journal of the Moscow Patriarchate*. According to Protestant groups, a Bible society and Christian bookshops are not permitted in the country.

In February 2011, two students reportedly were expelled from the National Institute of Sports and Tourism in Ashgabat for propagating "religious extremism" after Education Ministry inspectors found audio recordings of Qur'anic verses on their computers. Unlike in previous years, there are no reports that the Turkmen government singled out for particularly harsh treatment ethnic Turkmen members of unregistered religious groups accused of disseminating religious material.

Internet users in Turkmenistan cannot access most international religious Web sites. The government has a monopoly on internet access, and uses a computer program to search emails for coded words and block "suspicious" messages. Further, the Turkmen government has shut down the cell phone service that provided telecommunication for most of the Turkmen population. Nevertheless, some communities maintain that the internet has improved their access to religious literature and the Russian Orthodox Church in Turkmenistan recently opened a Web site.

Restrictions on Education and the Training of Clergy

The Turkmen authorities have become concerned about the Nursi movement that supported Turkmen-Turkish schools in Turkmenistan for more than a decade. In April, the Turkish schools stopped taking new pupils. In August, the Nursi schools were closed in Turkmenbashi, Nebitdag, Turkmenabad, and other cities; only in Ashgabat is a Nursi-funded Turkmen-Turkish school still open, reports the *Chronicles of Turkmenistan*.

Turkmenistan's religion law bans the private teaching of religion. Only graduates of institutions of higher religious education (domestic or foreign is not specified) who are CRA-approved may offer religious instruction, and such instruction must take place in officially-approved institutions. Nevertheless, some independent religious education takes place unofficially.

Under the religion law, mosques are allowed to provide religious education to children after school for four hours per week, as long as parents have given their approval. Some Sunni mosques have regularly-scheduled Qur'an instruction. However, the law prohibits the ROC from conducting religious education programs without CRA and presidential approval, which to date apparently has not been granted.

Muslims are not allowed to travel abroad for religious education, and women are barred from studying Islamic theology at Turkmen State University, the only place where it is permitted to be taught. According to Forum 18, the theology faculty only has 60 students in its five-year course, the faculty's building was torn down, and it no longer is allowed to employ foreign staff.

The country's largest religious minority, the Russian Orthodox community, has 15 priests for 12 parishes, but no institution in Turkmenistan to train clergy. Russian Orthodox men are allowed to leave the country for clerical training and reportedly nine are studying in Belarus. Shi'a Muslims, most belonging to Iranian and Azeri ethnic minorities, also lack religious training institutions in Turkmenistan. Even registered religious minorities face difficulties in this regard; one leader has said that most religious training is conducted informally and in private homes.

Restrictions on International Travel for Religious Reasons

The government continues to interfere with the ability of religious adherents to travel outside the country, including the reported reinstatement of blacklists for hundreds of Turkmen citizens. In 2009, authorities did not allow any Muslims to leave the country to perform the *hajj* (pilgrimage to Mecca), allegedly due to fear of swine flu infection. Instead, the government organized "an internal *hajj*" for 188 officially-designated Muslim pilgrims to travel to 38 sites inside Turkmenistan. In 2010, the Turkmen government resumed its previous practice of permitting 188 pilgrims (out of the reported official Saudi quota of 5,000) to travel at state expense to Mecca. Pilgrims reportedly have had to pay bribes to be included on the list.

Foreign religious workers and co-religionists of certain groups continue to have difficulty obtaining entry visas to Turkmenistan. The last known visit to the country by Armenian Apostolic Church clergy was in 1999. The Baha'i community reports that it is impossible for their foreign relatives to receive permission to visit Turkmenistan, but Baha'is in the country are allowed to go on foreign visits. ROC then-Metropolitan Kyril was permitted to visit Turkmenistan in 2008, the first visit by a ROC leader since 2003. In addition, the New Apostolic Church was allowed a visit by a European church leader for the first time in 2009. While foreign Adventists were allowed to visit Turkmenistan after Niyazov's death, reportedly no such visits have been permitted since 2008.

U.S. Policy

In April 2011, Robert E. Patterson was sworn in as U.S. Ambassador to Turkmenistan, becoming the first fully accredited U.S. ambassador to this strategically-important country in five years. Previous ambassadors have played a key role in highlighting the importance of respect for human rights in Turkmenistan, and USCIRF had long called for this post to be filled.

USCIRF also has recommended that the United States and Turkmenistan engage in regular discussions on important bilateral issues, including human rights and religious freedom. Accordingly, USCIRF welcomed the first U.S.-Turkmenistan Annual Bilateral Consultations in Ashgabat in June 2010, as well as the fact that the U.S. government addressed the need to improve religious freedom conditions in the wider human rights context.

The United States has important interests in Turkmenistan, including those related to over-flight rights and railroad links to Afghanistan and to the country's huge natural gas supplies. The United States also has an interest in ensuring that the Turkmen government adequately addresses numerous gaps in its education system and does not return to an official policy of isolationism. It is also in the United States' interest to help prevent radical Islamist influences from flowing into the country over its long and porous borders with Iran and Afghanistan.

Due to its official policy of neutrality, Turkmenistan is not part of the Northern Distribution Network (NDN) for the delivery of supplies to U.S. and NATO troops in Afghanistan. Nevertheless, the United States government has held high-level meetings with Turkmen officials on related issues. Turkmenistan has allowed U.S. refueling rights at the Ashgabat International Airport for non-lethal supplies to Afghanistan, and construction will soon begin on a railroad linking Afghanistan and Turkmenistan. Some observers claim the United States may be interested in using this rail link to ship fuel to NATO troops.

Nevertheless, despite its official neutral status, Turkmenistan is trying to improve its naval and military capacity. The United States is training Turkmenistan's burgeoning navy as well as organizing exchange programs on English language and basic naval administration. During the conduct of counterterrorism operations in 2011, U.S. Special Operations Forces reportedly were allowed to enter Turkmenistan, as well as Kyrgyzstan, Tajikistan, and Uzbekistan, on a "case-by-case" basis, with permission from the host nation.

In December 2010, Turkmenistan entered into agreements with Afghanistan, Pakistan, and India to begin construction on a major gas pipeline, known as "TAPI," due to be completed in 2014. This project, encouraged by the United States, could help stabilize the Turkmen gas export market as well as create economic and political bonds with energy-poor South Asian markets.

The U.S. government has stressed the importance of freedom of information and media in its programs in Turkmenistan and has sent Turkmen professionals, government officials, and students to the United States for foreign policy and broadcast journalism programs. In recent years, however, the Turkmen government has imposed last-minute rules barring many students from participating in U.S.-funded exchange programs. The U.S. government also provides funding for local civil society projects, including leadership camps and seminars, as well as for a resource center to provide Turkmen with Internet access and computer training. In addition, the United States has encouraged the Turkmen government to revise its laws on religion, NGOs, and mass media and to reform its criminal code. The U.S. government meets with representatives of Turkmen religious groups to promote religious freedom.

Despite President Berdimuhamedov's personal invitation to USCIRF in 2007 to make a return visit, his government has refused to meet with USCIRF three times in the past two years, most

recently in December 2010, each time just prior to the USCIRF delegation's departure. Despite promises from the Turkmen Ambassador to the United States in February 2011 that his country would host a USCIRF visit, no concrete dates were proposed.

Recommendations

While the geo-strategic importance of Turkmenistan is on the rise, the United States should raise concerns about human rights and religious freedom in all meetings with the Turkmen government, urge it to reform its laws and practices to comply with international human rights standards, and, if concrete improvements are not made, designate Turkmenistan as a CPC. To this end, USCIRF recommends that the U.S. government take a number of specific steps to expand its bilateral relations with Turkmenistan, promote religious freedom and related human rights, and expand U.S. programs and other activities in pursuit of this aim.

I. Promoting Freedom of Religion or Belief and Other Human Rights

The U.S. government should:

- raise human rights and freedom of religion or belief during all bilateral meetings with the government of Turkmenistan, explore ways in which Turkmenistan can implement laws and practices to comply with international human rights standards, and establish a regular reporting mechanism on these issues; and
- designate Turkmenistan as a CPC, if specific improvements are not made in line with the recommendations immediately below.

The U.S. government should urge the government of Turkmenistan to:

- repeal all laws, decrees or regulations, and amend those articles of the religion law that violate international norms on freedom of religion or belief, including by implementing the recommendations of the USAID-funded analysis of the religion law;
- restore genuine legal alternatives to military service on the grounds of religious or conscientious objection based on international commitments, including those of the OSCE, and cease the criminal prosecution and fully restore the civil and political rights of Jehovah's Witnesses and others who refuse to serve in the army on the grounds of conscience;
- end state interference in the management of religious communities and in the selection and training of religious leaders, including those from Sunni and Shi'a Muslim and the Russian Orthodox communities, as well as from Protestant and other minority communities;
- honor its commitment to allow a USCIRF delegation to return to Turkmenistan to assess current conditions for freedom of religion or belief, speak with current or former prisoners of conscience in places of detention, and speak unimpeded with religious and other organizations and their members; and

- fulfill its previous human rights promises, including those regarding freedom of religion or belief made to the USCIRF delegation during its August 2007 visit.

II. Expanding U.S. Programs and Activities to Promote Human Rights and Reform Efforts

The U.S. government should:

- increase and improve radio, Internet, and other broadcasts of objective news and information, including on freedom of religion or belief and on other human rights and religious tolerance, by:
 - expanding and improving broadcasts to Turkmenistan by the Turkmen Service of Radio Free Europe/Radio Liberty (RFE/RL), such as increased coverage of issues relating to freedom of religion or belief including for the Turkmen diaspora, and adding Russian-language broadcasts; and
 - restoring Voice of America's Russian-language television and radio broadcasts to Central Asia, particularly those broadcasts relating to human rights, including freedom of religion or belief;
- assist in improving Turkmenistan's educational system, particularly with regard to curricula on religious freedom and other human rights, by:
 - reprinting Russian and Turkmen language materials on human rights, particularly on international norms on freedom of religion or belief; and
 - providing funds for libraries in Ashgabat and other cities, including materials on human rights, as well as freedom of religion or belief, tolerance, civic education, and international legal standards;
- develop assistance programs to encourage civil society groups that protect human rights and promote freedom of religion or belief, including by expanding legal assistance programs for representatives of religious communities through grants that address freedom of religion or belief; and
- expand international contacts and increase U.S. involvement in communities in Turkmenistan, including through Peace Corps and USAID programs, include religious leaders in community projects in order to address social problems and increase tolerance, and expand exchange programs, including with civil society leaders, students, and others concerned with human rights and religious freedom.

III. Strengthening Efforts in the International Arena

In various international fora, the U.S. government should urge the Turkmenistan government to:

- implement the recommendations of the October 2006 Report of the UN Secretary General on the Situation of Human Rights in Turkmenistan, the 2008 recommendations of the UN Human Rights Council during the Universal Periodic Review of Turkmenistan and the 2008 recommendations of the UN Special Rapporteur on Freedom of Religion or Belief issued after a country visit;
- agree to the numerous requests for visits by UN Special Rapporteurs, as well as representatives of the OSCE, including its Panel of Experts on Freedom of Religion or Belief, and provide the full and necessary conditions for such visits; and
- participate fully in the OSCE, including in the annual Human Dimension meeting in Warsaw, and expand the activities of the OSCE Center in Ashgabat, particularly on civic education, human rights, including programs with local schools, universities, and institutes on human rights standards, including freedom of religion or belief.